

REMARKS

Claims 39-44, 47-49 and 59-67 remain pending in the present application. Claims 39, 40, 42 and 47 have been amended. Claims 59-67 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

CLAIM OBJECTIONS

Claim 47 is objected to because "shat" is misspelled on line 7. Claim 47 has been amended to correct the spelling error. Withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 39-44 and 47-49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brault, et al. '042 in view of Cotton, et al. '022 and Brundage, et al. '233 or Emmons '607. Applicant respectfully traverses these rejections. Independent Claims 39, 42 and 47 have each been amended to define a fastener engaging the arbor shaft to attach the cutting tool to the arbor shaft. Disengagement of the fastener from the arbor shaft is prohibited by the arbor cover when the arbor cover is in its first position. This features is described on page 12, lines 20 and 21 where it describes that the arbor shaft cover 66 prevents the arbor shaft fastener 64 from vibrating loose or falling free (disengaging) of the arbor shaft.

Applicant respectfully disagrees with the Examiner's arguments where it appears that the Examiner is using hindsight reconstruction and is picking individual features

from the prior art (or Official Notice) to obtain Applicant's invention. This hindsight reconstruction has been repeatedly rejected by the courts.

The features described above which have been added by amendment to the independent claims of this invention are not disclosed, taught or even suggested by the Examiner's cited prior art. Brault '042 discloses an un-numbered fastener with no discussion regarding the preventing of its disengagement. Cotton '022 discloses a cover but no fastener. Brundage '233 does not disclose a cover or a fastener. Emmons '607 discloses a fastener but not a cover. None of the cited art discloses, teaches or suggests an arbor cover which prevents disengagement of the cutting tool fastener now defined in Claims 39, 42 and 47.

Thus, Applicants believe independent Claims 39, 42 and 47, as amended, patentably distinguish over the art of record. Likewise, Claims 40, 41, 43, 44, 48 and 49, which depend from one of Claims 39, 42 and 47, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIMS


New Claims 59-61 are dependent claims that depend from Claim 39 and define the blade caliper feature of the present invention. Claims 62-64 and 65-67 are the same as Claims 59-61 but dependent on Claims 42 and 47, respectively.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 27, 2004

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